

James Centobene, J-17051  
P.O. Box 705, RB-201L  
CTF - North Facility  
Soledad, CA 93960-0705

Telephone: N/A

Plaintiff, Propria Persona

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES CENTOBENE,  
  
Plaintiff,  
  
v.  
  
ARNOLD SCHWARZENEGGER, Governor,  
State of California; JAMES  
TILTON, Secretary, Dept. of  
Corrections and Rehabilitation;  
SCOTT KERNAN, Director, Division  
of Adult Institutions, Dept. of  
Corrections and Rehabilitation;  
TERRI McDONALD, Chief Deputy  
Administrator, California Out-  
of-State Correctional Facilities  
Unit, Dept. of Corrections and  
Rehabilitation; BEN CURRY,  
Warden, Correctional Training  
Facility; and, DOES 1 through 5,  
  
Defendants.

No. \_\_\_\_\_

WILLIAM  
PLAINTIFF'S DECLARATION  
REGARDING PREPAYMENT OF  
FILING FEES AND REQUEST  
TO PROCEED AS IF PAID (PR)

AUTHORIZATION TO ORDER  
THE RELEASE/PAYMENT OF  
FILING FEES

DECLARATION OF PLAINTIFF

I, James Centobene, declare as follows:

1. I am the plaintiff in the attached action.

1           2. I am not eligible to proceed in forma pauperis as I  
2 have sufficient funds to pay the filing fees in this action.  
3 (See Trust Account Statement dated 4/8/08, Exhibit A.)

4  
5           3. On May 14<sup>th</sup>, 2008, prior to mailing/filing  
6 the accompanying complaint in this action, I submitted a Trust  
7 Withdrawal Order for \$350.00, payable to the Northern District  
8 Court of Calif., to the Correctional Counselor I, Creamer-Todd,  
9 for approval and delivery to the Trust Office so that a money  
10 order could be issued. I also provided a pre-addressed, stamped  
11 envelope along with the Trust Withdrawal Order so that the money  
12 order could be sent directly to the Court upon its issuance.  
13 (See Trust Withdrawal Order, Exhibit B.)

14  
15           4. Due to the nature of this lawsuit, the necessity of  
16 a prompt filing and my request for a Temporary Restraining Order  
17 and Preliminary Injunction, I could not delay the filing of  
18 this complaint for the indeterminate time it may take for the  
19 defendant to issue a check on my behalf.

20  
21           5. Nonetheless, I have taken all reasonable steps to  
22 ensure that the Court will receive their filing fees in a prompt  
23 and expeditious manner.

24 ////

25 ////

26  
27           WHEREFORE, I respectfully request that the Court will  
28 proceed with this action as if the filing fees were fully paid.

///

///

James Centobene,  
Plaintiff, Propria Persona

**EXHIBIT A**

**EXHIBIT A**

REPORT ID: TS3030 .701

REPORT DATE: 04/08/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS  
CTF SOLEDAD/TRUST ACCOUNTING  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN. 01, 2008 THRU APR. 08, 2008

ACCOUNT NUMBER : J17051

BED/CELL NUMBER: NORBT2000000201L

ACCOUNT NAME : CENTOBENE, JAMES

ACCOUNT TYPE: I

PRIVILEGE GROUP: A

## TRUST ACCOUNT ACTIVITY

| DATE       | TRAN<br>CODE | DESCRIPTION       | COMMENT    | CHECK NUM | DEPOSITS | WITHDRAWALS | BALANCE |
|------------|--------------|-------------------|------------|-----------|----------|-------------|---------|
| 01/01/2008 |              | BEGINNING BALANCE |            |           |          |             | 936.06  |
| 01/14      | FR01         | CANTEEN RETUR     | 702181     |           |          | 25.00-      | 961.06  |
| 02/21      | W450         | DONATION-VETE     | 2701MOHIGH |           |          | 23.00       | 938.06  |
| 03/17      | FC02         | DRAW-FAC 2        | 3022 UN-I  |           |          | 60.00       | 878.06  |
| 03/21      | D300         | CASH DEPOSIT      | 3066 68451 |           | 50.00    |             | 928.06  |

## TRUST ACCOUNT SUMMARY

| BEGINNING<br>BALANCE | TOTAL<br>DEPOSITS | TOTAL<br>WITHDRAWALS | CURRENT<br>BALANCE | HOLDS<br>BALANCE | TRANSACTIONS<br>TO BE POSTED |
|----------------------|-------------------|----------------------|--------------------|------------------|------------------------------|
| 936.06               | 50.00             | 58.00                | 928.06             | 0.00             | 0.00                         |

CURRENT  
AVAILABLE  
BALANCE

928.06

**EXHIBIT B**

**EXHIBIT B**

STATE OF CALIFORNIA  
CDC - 193 (1/88)

DEPARTMENT OF CORRECTIONS

## TRUST ACCOUNT WITHDRAWAL ORDER

Date May 11, 2008

To: Warden

Approved \_\_\_\_\_

I hereby request that my Trust Account be charged \$ 350<sup>00</sup> for the purpose stated below and authorize the withdrawal of that sum from my account:

J-17051

NUMBER

State below the PURPOSE for which withdrawal is requested (do not use this form for Canteen or Hobby purchase).

PURPOSE Filing FeesIn Memo Field"Centobene v. Schwarzenegger"

James Centobene  
NAME (Signature please, DO NOT PRINT)  
PRINT PLAINLY BELOW name and address of person to whom check is to be mailed.

NAME Northern District Court of Calif.ADDRESS 450 Golden Gate Avenue  
San Francisco, CA 94102James Centobene

PRINT YOUR FULL NAME HERE